

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

MICHAEL DEAN GONZALES,

Plaintiff,

V.

**TRAVIS GOLDEN BRAGG,
District Attorney Pro Tem, Ector County;**

**MICHAEL GERKE, Chief,
Odessa Police Department; and**

**FREEMAN MARTIN, Director,
Texas Department of Public Safety;**

***Defendants.*¹**

CIVIL NO. MO:22-cv-0046-DC

*** DEATH PENALTY CASE ***

ORDER

Before the Court is Plaintiff Michael Dean Gonzales’s Unopposed Motion to Lift Stay and Reopen Proceedings (Doc. 49). Previously, this Court stayed this civil-rights proceeding to allow time for the Texas Court of Criminal Appeals to rule on Plaintiff’s motion for rehearing in his related state-court proceedings. (Doc. 32). The parties later requested to extend the stay pending the resolution of a related case in the Fifth Circuit Court of Appeals. (Doc. 47). That case has now been decided. *See Reed v. Goertz*, No. 19-70022, 2025 WL 1261412 (5th Cir. May 1, 2025). Plaintiff now requests that the Court lift the stay and abeyance of these proceedings and reopen the case. He also submits a joint proposed scheduling order for the litigation of his civil-rights complaint. Neither request is opposed by the Defendants.

1 Travis Golden Bragg has succeeded Woodson Erich Dryden as the Ector County District Attorney Pro
 2 Tem. Freeman Martin has succeeded Steven McCraw as the Director of the Texas Department of Public Safety.
 3 Under Rule 25(d) of the Federal Rules of Civil Procedure, Bragg and Martin are automatically substituted as parties.


Accordingly, it is hereby **ORDERED** that:

1. Plaintiff Michael Dean Gonzales's Unopposed Motion to Lift Stay and Reopen Proceedings, filed May 21, 2025 (Doc. 49), is **GRANTED**. The stay and abeyance previously issued by this Court (Doc. 32) is **LIFTED** and this case is now **REOPENED** for administrative purposes.

2. The Joint Proposed Scheduling Order, also filed May 21, 2025 (Doc. 49-1), is **GRANTED** as follows: Defendants shall file any responsive pleading to Plaintiff's Amended Complaint (Doc. 23) on or before thirty (30) days from the date of this Order. Plaintiff may file a response to Defendants' pleadings no more than thirty (30) days after they are filed. Defendants will then have twenty-one (21) days from the date of Plaintiff's response to file a reply thereto.

It is so **ORDERED**.

SIGNED this 23rd day of May, 2025.



DAVID COUNTS
UNITED STATES DISTRICT JUDGE